

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DWAYNE SWEARINGTON,

Plaintiff,

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

No. C 12-2012 WHA (PR)

ORDER OF TRANSFER

(Docket No. 3)

This is a civil rights case brought pro se by a state prisoner. Plaintiff claims that state officials of the California Department of Corrections and Rehabilitation at Kern Valley State Prison ("KVSP"), where plaintiff is currently incarcerated, and at the California Men's Colony East ("CMC") violated his civil rights during plaintiff's incarceration at those institutions. CMC is located within the venue of the United States District Court for the Central District of California, while KVSP is located within the venue of the United States District Court for the Eastern District of California. Venue for this case is therefore proper either in the Eastern or the Central Districts. *See* 28 U.S.C. 1391. As plaintiff is located at KVSP and he request injunctive relief from officials there, in the interests of justice this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. 1404(a), 1406(a).

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1 In light of this transfer, ruling on plaintiff's application for leave to proceed in form
2 pauperis (docket number 3) is deferred to the Eastern District.

3 The clerk shall transfer this matter forthwith.

4 **IT IS SO ORDERED.**

5 Dated: June 7, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE DWAYNE SWEARINGTON,
Plaintiff,

Case Number: CV12-02012 WHA
CERTIFICATE OF SERVICE

v.

IN RE DWAYNE SWEARINGTON et al,
Defendant.


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 8, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dwyane Swearington
K-83287
North Kern State Prison
PO Box 5000
Delano, CA 93216

Attorney General's Office
455 Golden Gate Avenue
San Francisco, CA 94102

Dated: June 8, 2012


Richard W. Wieking, Clerk
By: Lashanda Scott, Deputy Clerk